

W. T. PLANNING BOARD MEETING, DECEMBER 3, 2007, 7:30 P.M.

PRESENT: David Douglas, Ginny Jones, Susan Silva, Leah Smith, Mark Yale

ABSENT: Erik Hammarlund

ALSO PRESENT FOR ALL OR PART OF THE MEETING: Peter Williams, Brian Smith, Tim Clark, Geoff Thors, Ernie Mendenhall, John Powers, Dan Larkosh, Simone DeSorcy

MINUTES

Minutes of the 11/19/07 meeting were approved as written (Mark abstained).

CORRESPONDENCE

In: Building Inspector re. Barnes Zoning Violations;
Doug Hoehn Withdrawing Roberts Form A application;
Selectmen re. Budget;
Con Com re. Bennett/Land Banks Conservation Restrictions.

Out: Board of Health re. Barnes Application;
Board of Health re. Williams Application;
Ellen Kaplan re. Bennett Special Permit

OLD BUSINESS

Peter Williams, Fulton K&E LLC, 90 Dr. Fisher Road, Map 21 Lot 12, LI District:

Peter Williams presented a plan with 3 marked spaces (A, B, and C) on the 1-acre lot abutting the Bizzarro property. All 3 spaces would use a single shared access. He said he would eventually like 8 rental spaces on this property, but at this time is applying for 3.

Ginny asked whether the septic system was marked on the plan; Peter Williams said there is a cesspool on the property, but he doesn't know where it is. John Powers, Health Agent, said there should have been a septic inspection when Peter Williams purchased the property, per State law. He said that the plan shown by Peter Williams is not viable for anyone to look at and see what's proposed. The Board of Health wants to see what is being proposed for each plot. It seems that Mr. Williams is asking for blanket approval without giving any specifics, making it difficult, impossible to evaluate. He said the neighboring Bizzarro proposal was very specific, making it easy to evaluate.

Peter Williams said his problem was that if he needed to lease out one of the lots for a month, the turnaround time to get Town permission would make the lease unfeasible. He said he is trying to come up with a list of approvable items, like clean fill, equipment using rubber tires. John Powers said the Town needed specific proposals for each plot, in writing, with a readable plan. Peter Williams said that if the process becomes too unwieldy he might scrap the whole proposal. John Powers said the Board of Health needs to look at each proposed use, locations, distances from existing wells and septic. Peter Williams said he doesn't know all of the proposed uses at this point. He said that the plot lines drawn on the assessors map are arbitrary; he has no idea where he is going to put things. John Powers said the proposal is confusing; the Town is used to dealing with more detailed plans and diagrams showing exact dimensions, etc.

Susan asked whether the Board of Health wants to inspect each new tenant Mr. Williams leases to; John Powers said he couldn't answer that question without a more detailed proposal. A number of different types of businesses are of concern to the Board, for example the storage of clean fill. He said nobody wants to micromanage the property. The Keene pit is an example of an industrial use that has had to submit plans, required setbacks, etc. Mark asked whether the Board could rule on the attached list of uses if the applicant were to submit a dimensioned plan of the lot showing parcels A, B and C, and if there were a future review of anything proposed on the remainder of the lot. Ernie Mendenhall noted that on the abutting Bizzarro lot, the trees were not all whacked down and that the use does not go all the way to the property line. Peter Williams said that he intends to create a visual barrier by planting trees, unless the Board dictates a security fence.

There was a discussion as to whether Allied Waste or Tim Clark Landscaping would lease plot C.

Dan Larkosh, resident abutter, noted that the property abuts a residential zone and that there are small children in the neighborhood. He said that the Bizzarro conditions of approval were well written. He asked whether the existing house on the property would be occupied. Peter Williams said it would probably be converted to office use in the future.

Ginny said she is still uncomfortable with the amorphousness of the whole proposal. She said the Board needs to keep in mind that this proposal could replicate itself in the remainder of the lot. There needs to be a site manager all the time. Leah seconded the importance of a site manager. She said that the proposal for short term rentals of small areas of a lot is new for the Town.

Peter Williams said that he had purposely not proposed anything on the residential side of Dr. Fisher Road out of respect for the neighbors; he does not know at this time what he'll do there.

Mark noted that a zoning change was approved in Edgartown allowing the outdoor storage of equipment on 50x100 foot lots next to the industrial zone off West Tisbury and Barnes Roads, allowing lawn services, etc., to get their equipment out of residential areas.

Dan Larkosh asked whether individual businesses would need to obtain licenses. Peter Williams said that he is getting the permits for the entire site. Dan Larkosh asked whether businesses would be operated on the property. Peter Williams said it would be only for loading and unloading; there would be no potters renting space to make their pots on-site. The property would be used only for the parking of vehicles.

There was a discussion that the Bizzarro lot had a recorded decision with very specific conditions. Dan Larkosh noted that the road had deteriorated since Peter Williams had

started leasing out his property. Ginny noted that the Bizzarro applicants were good to work with, as they had a clear proposal, agreed to conditions, and had held their property to a certain standard.

Susan clarified that the Board was only considering uses on parcels A, B, and C of the lot; any further use of the assessors parcel would need to come back to the Planning Board and others for review. Mark noted that the Board needs the dimensions of the 3 areas. John Powers said it is now clear that no mechanics will be working on equipment on the property. He asked how the areas would be delineated; Peter Williams said they would be staked. Susan said she would like a condition that the uses be reviewed after 6 months; David agreed. Leah said it's important that the road be kept up. Ginny said screening was necessary. David said he felt the property was adequate for parking vehicles.

Board members agreed that they could not act on the proposal until Peter Williams provided the Town with a dimensioned plan showing bounds, existing septic, wells etc. Ernie Mendenhall asked whether the lot could be continued to be cleared, citing a zoning bylaw disallowing changes to the property if site plan review is required. David said it was a little late to disallow clearing. Mark noted that it would be prudent for the applicant to wait to alter the remainder of the lot until a decision is made on the proposal. Dan Larkosh said he would appreciate it if the proposed fence/screening went around the corner onto Dr. Fisher Road. Susan said that vehicles accessing the property should only use the portion of Dr. Fisher Road via the dump road, not the portion from Old County Road. Dan Larkosh asked whether there would be any limitations on Sunday. Ginny noted that if the existing house is converted to office space, parking requirements would apply. She noted that any uses outside of plots A, B, and C and any changes would require Board approval

Clarence Barnes, Special Permit Application and Zoning Violations: Board members, Zoning Inspector Ernie Mendenhall and Health Agent John Powers reviewed the Multi-Family Housing special permit application and Ernie Mendenhall's letter to Clarence Barnes citing existing zoning violations on the property. Mark asked Ernie whether each proposed apartment would require a Certificate of Occupancy before being occupied, and whether he could withhold a C. of O. if there were zoning violations on the property; Ernie said he could. John Powers said that the existing septic system on the site was questionable for the proposed use.

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,
Simone DeSorcy, assistant

Approved December 10, 2007